

Effective 5/12/2015

78B-6-144 Mutual-consent, voluntary adoption registry -- Procedures -- Fees.

- (1) The office shall establish a mutual-consent, voluntary adoption registry.
 - (a) An adult adoptee or a birth parent of an adult adoptee, upon presentation of positive identification, may request identifying information from the office, in the form established by the office. A court of competent jurisdiction or a child-placing agency may accept that request from the adult adoptee or birth parent, in the form provided by the office, and transfer that request to the office. The adult adoptee or birth parent is responsible for notifying the office of any change in information contained in the request.
 - (b) Except as otherwise provided in this part, the office may only release identifying information to an adult adoptee or birth parent when it receives requests from both the adoptee and the adoptee's birth parent.
 - (c) After matching the request of an adult adoptee with that of at least one of the adoptee's birth parents, the office shall notify both the adult adoptee and the birth parent that the requests have been matched, and disclose the identifying information to those parties. However, if that adult adoptee has a sibling of the same birth parent who is under the age of 18 years, and who was raised in the same family setting as the adult adoptee, the office may not disclose the requested identifying information to that adult adoptee or the adoptee's birth parent.
- (2)
 - (a) Adult adoptees and adult siblings of adult adoptees, upon presentation of positive identification, may request identifying information from the office, in the form established by the office. A court of competent jurisdiction or a child-placing agency may accept that request from the adult adoptee or adult sibling, in the form provided by the office, and transfer that request to the office. The adult adoptee or adult sibling is responsible for notifying the office of any change in information contained in the request.
 - (b) The office may only release identifying information to an adult adoptee or adult sibling when it receives requests from both the adult adoptee and the adult adoptee's adult sibling.
 - (c) After matching the request of an adult adoptee with that of the adoptee's adult sibling, if the office determines that the office has sufficient information to make that match, the office shall notify both the adult adoptee and the adult sibling that the requests have been matched, and disclose the identifying information to those parties.
 - (d) After receiving a request for information from an adult adoptee and a birth parent under this section, the office shall:
 - (i) search the office's vital records for the adult adoptee's birth parent; and
 - (ii) if the search described in Subsection (2)(d)(i) reveals that the birth parent who had requested information under this section is dead, inform the adult adoptee that the birth parent is dead and disclose the identity of the birth parent.
 - (e) The office shall attempt to notify an individual who requests information under this section:
 - (i) of the results of the initial search for a match; and
 - (ii) if the initial search does not produce a match, that the office will keep the request on file and will attempt to notify the individual in the event of a match.
- (3) Information registered with the office under this section is available only to a registered adult adoptee and the adoptee's registered birth parent or registered adult sibling, under the terms of this section.
- (4) Except as provided in Section 78B-6-141, the office may not disclose information regarding a birth parent who has not registered a request with the office.

- (5) The office shall, on or before October 31, make an annual report on the effectiveness of the mutual-consent, voluntary adoption registry to the Health and Human Services Interim Committee.
- (6) Nothing in this section limits the disclosure of information in accordance with Section 78B-6-141.

Amended by Chapter 137, 2015 General Session